

### **REMARKS**

The Office Action dated March 24, 2010 has been carefully considered. Claim 4 has been amended. Claim 4 is in this application.

Support the amendments to claim 4 is found throughout the specification and in particular on page 19-25 and page 4, lines 25-28. No new matter has been added.

Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over previously cited U.S. Patent No. 3,892,058 to Komatsu et al. in view of U.S. Patent No. 6,139,898 to Meyer et al. and Applicant's Admitted Prior Art (Specification pages 1-2) and Bittman, How to Cook Everything, Wiley 1998, pages 181, 182, 197-199 and 207.

The invention defined by the present claim teaches the steps of washing the long grain rice with only purified water, soaking the long grain rice for two to three minutes in a solution of emulsified oil, washing with the purified water, and of sterilization which is conducted by repeating 4 to 10 times the sterilization by intermittently applying high pressure steam at a temperature of 130°C~150°C and for 4 to 8 seconds each time. The solution of emulsified oil selected from glycerin fatty acid ester, D-sorbitol fatty acid ester, polyglycerin fatty acid ester, propyleneglycol fatty acid ester and ilshin ester. Emulsified oil is also added to the sterilized rice and before cooking. The same amount of the solution of the emulsified oil is added to the cooked rice before sealing of the package. The package is hermetically sealed under aseptic conditions.

In contrast to the invention defined by the present claim, as noted by the Examiner, Komatsu et al. and Meyer et al. do not teach or suggest the steps of adding a solution of emulsified oil to the rice in a soaking step, adding an amount of solution of emulsified oil before cooking and adding the same amount of the solution of the emulsified oil to the cooked rice before sealing of the package. Applicants also submit that none of the references teach or suggest adding a solution of emulsified oil in a soaking step. Bittman teaches adding oil to a saucepan over medium heat and adding rice to cook stirring until the rice is coated with oil. Water is added to the saucepan and heated to bring the mixture to a boil. The rice is covered and the heat is turned to medium low. After cooking, herb oil can be stirred into the rice. Applicants submit that Bittman is directed to cooking rice on a stove top, which is unrelated to a process for

preparing cooked rice in an aseptic package and that one of ordinary skill in the art would not look to combine Bittman, directed to cooking rice on the stove top, with Komatsu et al., directed to preparation of sterilized packaged articles, or Meyer et al., directed to a pre-cooked rice product in a pouch. Further, there is no teaching or suggestion in Bittman of soaking the rice in emulsified oil for two to three minutes before cooking, as defined by the present claims, and none of the cited references teach this limitation. In addition, Bittman does not teach or suggest the solution of emulsified oil selected from glycerin fatty acid ester, D-sorbitol fatty acid ester, polyglycerin fatty acid ester, propyleneglycol fatty acid ester and ilshin ester and none of the cited references teach this limitation. Cooked rice in an aseptic package has the advantage of being free from microorganism and is capable of long-term preservation as described on page 10, line 15 through page 11, line 1.

Applicants submit that through the specific steps of the present claim, an improved process of manufacturing rice in an aseptic package is provided. As described on page 9, lines 3-5, by reduction of soaking time and applying solution of emulsified oil to the soaking process, cooked rice in aseptic package having a property of fluffiness can be produced. Furthermore, Bittman does not teach or suggest that an improved stickiness of cooked rice can be generated by intermittent sterilization steps. Moreover, there is no teaching or suggestions of the features in Komatsu et al. or Meyer et al. Komatsu et al. teach sterilization is conducted at 130°C~160° C for 0.5 minutes to 15 minutes for a single time in continuous sterilization (col. 15, lines 34-30). Meyer et al. teach that sterilization is conducted at 80°C~100° C for 1 minute to 80 minutes (col. 3, lines 1-17). Applicants have found that sterilization continuously is a harsh condition which does not provide the fluffiness of the rice of the present invention.

In addition, Meyer et al disclose that after water cooling, excess water may be drained off, i.e., excess water is removed after cooking (Col. 2, lines 47-48). In contrast, the present invention does not teach the step of removing excess water after cooking. On the contrary, the invention defined by the present claims teaches the step of adding a solution of emulsified oil after cooking. In Meyer et al, since excess water comprises the flavor and taste of the rice released from the rice in blanching (cooking step), the step of removing excess water causes the disadvantage of loss of flavor and taste of the rice.

None of the cited references teach or suggest all the features of the present invention. In addition, Applicants Admitted Prior Art does not teach or suggest the steps of soaking the rice in emulsified oil, adding a solution of emulsified oil to the sterilized rice before cooking and adding the same amount of the solution of the emulsified oil to the cooked rice before sealing of the package. Accordingly, the invention defined by the present claims is not obvious in view of Komatsu et al. in combination with Meyer et al., Applicants Admitted Prior Art, and Bittman. Accordingly, withdrawal of this rejection is respectfully requested.

In view of the foregoing, Applicants submit that all pending claims are in condition for allowance and request that all claims be allowed. The Examiner is invited to contact the undersigned should she believe that this would expedite prosecution of this application. It is believed that no fee is required. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,



Dated: June 22, 2010

---

Diane Dunn McKay, Esq.  
Reg. No. 34,586  
Attorney for Applicant

PORZIO, BROMBERG & NEWMAN, P.C.  
29 Thanet Road, Suite 201  
Princeton, NJ 08540  
Tel: 609 924 8555  
Fax: 609 924 3036